PAGE 1 RECEIVED CENTRAL FAX CENTER.

JAN 0 5 2005

#### ATTORNEYS AT LAW PATENT AND TRADEMARK MATTERS

Attorneve: JOHN J. ARNOTT, P.C. ARTHUR BRADY DAVID C. CAIN GREGORY M. HOWISON, P.C.

Two LINCOLN CENTRE 5420 LBJ Freeway, Suite 660 Dallas, Texas 75240-2318 Telephone (972) 479-0462 Facsimile (972) 479-0464

Austin Office: Telephone (512) 328-3994

CONFIRMATION SENT VIA FIRST CLASS MAIL YES \_\_\_ NO\_X\_\_

NUMBER OF PAGES TO FOLLOW \_7\_

## FACSIMILE COVER SHEET

DATE:

January 4,2005

TO:

Examiner: Terry K. Cecil (1723)

**COMPANY:** 

U. S. Patent Office

FAX NUMBER: Centralized Fax: (703) 872-9306

FROM:

Howison & Arnott, L.L.P. (Brian D. Walker)

**OUR FILE:** 

**DDYN-26,685** 

**SERIAL NO.:** 

10/796,583

ATTACHED:

Transmittal (1); Response to Notice of Non-Compliant

Amendment (6)

The information contained in or attached to this FAX message is intended only for the confidential use of the individual(s) named above. If you are not the named recipient or an agent responsible for delivering it to the named recipient, you are hereby notified that you have received this document in error and that review, dissemination or copying of this communication is prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original documents to us by mail. Thank you

#### **COMMENT:**

If there are any problems with this transmission, please contact Yanela Carpenter, Legal Assistant at 972-680-6053

# BEST AVAILABLE COPY

PTO/SR/21/08-03) Approved for use through 08/30/2003. ONE 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Panerwork Reduction Act of 1995, no payment are required to respond to a collection of information unless 8 distributes a walld OMB control number. Application Number 10/798,583 TRANSMITTAL Filing Date 03/09/2004 FORM First Named Inventor Wood Art Unit (to be used for all correspondence after initial filing) 1723 Examiner Name Terry K. Cecil Attorney Docket Number DDYN-26.685 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication Fee Transmittal Form to Technology Center (TC) Drawing(s) Appeal Communication to Board Licensing-related Papers of Appeals and Interferences Fee Attached Appeal Communication to TC 1 (Appeal Notice, Brist, Reply Brist) Amendment/Reply Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidavits/declaration(s) Other Enclosure(s) (please Terminal Discisioner identify below): Extension of Time Request Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm HOWISON & ARNOTT, L.L.P. Brian D. Walker, Reg. No. 37,751 Individual name Signature Date CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facisimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Brian D. Walker Signature

972 479 0464

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is assimated to 12 minutes to complete depolication form to the USPTO. Time will very depending upon the WidMdust case. Any comments on the smount of time you require to complete this form end/or supplications for reducing this burden, should be easit in the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commence, P.D. Box 1450, Alexandria, VA 23313-1469, DO NOT-SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22513-1450.

If you need assistance in completing the form, cell 1-800-PTO-9199 and select option 2.

RECEIVED **CENTRAL FAX CENTER** 

**JAN 0 5 2005** 

DDYN-26,685

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Anthony B. Wood

10/796,583

Filed:

March 9, 2004

Group:

1723

Examiner:

Serial No.:

Terry K. Cecil

For:

DIFFUSER/EMULSIFIER FOR USE IN AQUACULTURE APPLICATIONS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Continussioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:
(Date of Deposit)
(Date of Expense)
Brian D. Walker
(Name of Person Mailing Document)
65 11 Be
(Signature)
1/5/4
(Diprof Signature)

### AMENDMENT AND RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

In response to the Office Action dated December 13, 2004, please amend the above-referenced patent application as follows:

Amendments to the Claims are reflected in the listing of claims beginning on page 2 of this paper. Remarks/Arguments begin on page 6 of this paper.

AMENDMENT AND RESPONSE S/N 10/796,583 Atty. Dkt. No. DDYN-26,685